

NO. X06-UWY-CV-18-6046436-S : SUPERIOR COURT
ERICA LAFFERTY, ET AL. : COMPLEX LITIGATION DOCKET
V. : AT WATERBURY
ALEX EMRIC JONES, ET AL. : JUNE 15, 2022

NO. X-06-UWY-CV18-6046437-S : SUPERIOR COURT
WILLIAM SHERLACH : COMPLEX LITIGATION DOCKET
V. : AT WATERBURY
ALEX EMRIC JONES, ET AL. : JUNE 15, 2022

NO. X06-UWY-CV-18-6046438-S : SUPERIOR COURT
WILLIAM SHERLACH, ET AL. : COMPLEX LITIGATION DOCKET
V. : AT WATERBURY
ALEX EMRIC JONES, ET AL. : JUNE 15, 2022

**AFFIDAVIT REGARDING ATTEMPTS TO RESOLVE
DISAGREEMENTS REGARDING FEES AND EXPENSES CLAIMED
DUE TO ALEX JONES'S FAILURE TO APPEAR FOR DEPOSITION**

I, **Matthew S. Blumenthal**, hereby depose and state that:

1. I am over the age of 18 and believe in the sanctity of an oath.
2. I make this Affidavit upon my own personal knowledge, information and belief.
3. I am counsel for the plaintiffs in the above-entitled matter.
4. At 12:00 PM on Wednesday, June 15, 2022, counsel for the plaintiffs and the Jones defendants met by Zoom video call for a second conference on resolving the disputes related to the fees claimed by the plaintiffs related to the deposition for which defendant Alex Jones failed to appear, as discussed in filings at Docket Numbers 784, 808, and 849, and as ordered by the Court. Undersigned counsel appeared for the plaintiffs and Attorney Cameron Atkinson appeared for the Jones defendants.
5. During the call, defense counsel indicated that he continued to maintain his position that the undersigned counsel's participation and attendance at the deposition was unnecessary. He

also indicated that he wanted a further breakdown of the hours expended by Attorney Mattei, undersigned counsel, and Ms. Seshadri in order to analyze what part of their work would reasonably have to be duplicated for the deposition of Mr. Jones that went forward. Plaintiffs' counsel stated that, as previously indicated, plaintiffs' counsel did not create contemporaneous records of their time with such categorization in mind (and do not do so as a routine matter), and regardless, had significantly discounted both their hourly rate and their time expended, in part to account for the principle that they would get the benefit of some of their work later on.

6. After this discussion, defense counsel suggested that they "split the baby" on the attorney fees and agree that the amount should be \$29,000 total. There was brief discussion of whether the Jones defendants would agree to waive their appeal of the contempt sanction for some amount. Plaintiffs' counsel stated that he would "think about it" and confer with counsel, and that defense counsel should confer with co-counsel and potentially his client to see if waiving the appeal might be arranged. Both counsel agreed to do so and speak again at roughly 3:30 PM.

7. At 2:36 PM, plaintiffs' counsel spoke to defense counsel by telephone. The conversation lasted roughly three minutes. Plaintiffs' counsel indicated that the conversation about appeal waiver should be disregarded. He stated that while plaintiffs' counsel was not prepared to agree to \$29,000 total, he would agree to reduce the claimed fee again and agree to a total amount of \$35,000. Plaintiffs' counsel asked defense counsel for his thoughts on that offer. Defense counsel requested to confer with co-counsel and speak again. Plaintiffs' counsel agreed.

8. At 4:06 PM, plaintiffs' counsel received an email from defense counsel stating that he had spoken with co-counsel Attorney Pattis, and they "think that the best course is to let the judge decide it."

9. At 5:11 PM, plaintiffs' counsel called defense counsel to verify the outstanding areas of dispute.

10. Based on all the agreements and representations of counsel, undersigned counsel's understanding is that the following fees and expenses are still disputed (covering a total amount of \$19,188.09) and the parties accordingly request that the Court rule on them:

- a. Whether the hours expended by Attorney Christopher S. Mattei are sufficiently documented and reasonable, other than four hours (\$12,250.00);
- b. Whether the hours expended by Attorney Matthew Blumenthal are sufficiently documented and reasonable, other than two hours (\$3,300.00);
- c. Whether the hours expended by Pritika Seshadri are sufficiently documented and reasonable, other than four hours (\$1615.00); and
- d. Whether the expenses for hotel stay, flights, and travel to/from airports and in Texas for Matthew Blumenthal (Person 3 – \$2,023.09) are justified and reasonable.


Matthew S. Blumenthal

Signed under oath and under penalty of false statement on June 15, 2022.

EXHIBIT A

Matthew Blumenthal

From: Cameron Atkinson <catkinson@pattisandsmith.com>
Sent: Wednesday, June 15, 2022 4:06 PM
To: Christopher Mattei; Matthew Blumenthal; Alinor C. Sterling
Subject: Re: Lafferty v. Jones: Meet and Confer

Matt,

I spoke with Norm. We think that the best course is to let the judge decide it.

Regards,

Cameron L. Atkinson
Associate – Pattis & Smith, LLC
(203) 393-3017 ext. 203
catkinson@pattisandsmith.com

Publications:

A General Sovereign/Public Employer Distinction: Should *Garcetti v. Ceballos* Govern Public Employment Cases Concerning Off-Duty Sexual Conduct Instead of *Lawrence v. Texas*? *Quinnipiac Law Review*, Vol. 38 (forthcoming).
<https://ssrn.com/abstract=3383680>

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From: Christopher Mattei <CMattei@koskoff.com>
Sent: Wednesday, June 15, 2022 11:49 AM
To: Cameron Atkinson <catkinson@pattisandsmith.com>; Matthew Blumenthal <mblumenthal@koskoff.com>; Alinor C. Sterling <ASterling@koskoff.com>
Subject: RE: Lafferty v. Jones: Meet and Confer

Sure.

From: Cameron Atkinson <catkinson@pattisandsmith.com>
Sent: Wednesday, June 15, 2022 11:45 AM
To: Matthew Blumenthal <mblumenthal@koskoff.com>; Christopher Mattei <CMattei@koskoff.com>; Alinor C. Sterling <ASterling@koskoff.com>
Subject: Lafferty v. Jones: Meet and Confer

Folks,

I need a few minutes. Would 12 work?

Regards,

Cameron L. Atkinson

Associate – Pattis & Smith, LLC

(203) 393-3017 ext. 206

catkinson@pattisandsmith.com

Publications:

A General Sovereign/Public Employer Distinction: Should *Garcetti v. Ceballos* Govern Public Employment Cases Concerning Off-Duty Sexual Conduct Instead of *Lawrence v. Texas*? *Quinnipiac Law Review*, Vol. 38 (forthcoming).

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